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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,778	01/17/2002	Orhan Earl Beckman	10016640-1	2741

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EXAMINER
LETT, THOMAS J

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 11/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/051,778	BECKMAN ET AL.
	Examiner	Art Unit	
	Thomas J. Lett	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>3 February 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-9 and 11-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3-6,9,11-13 and 16-36</u> is/are rejected.

7)☒ Claim(s) <u>7,8,14 and 15</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>17 January 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-6, 9-13, and 16-36 have been

considered but are moot in view of the new ground of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 3-6, 9, 11-13, and 16-36 rejected under 35 U.S.C. 103(a) as being

unpatentable over Dodge et al (USPN 5,655,130) in view of Nehab et al (USPN

6,029,182).

With respect to claim 1, Dodge et al disclose a method for generating a

publication, comprising:

inputting an ephemeral interest into a client (input/output device 54, col. 8, lines

51-52 and see Fig. 4), wherein the ephemeral interest (variation-specific element 44,

col. 7, line 53) is of use in identifying at least one content item to be included in the

publication (document filter 60 can filter content, col. 8, lines 52-56);

requesting the publication based at least in part upon the ephemeral interest of

the identified user from a publication system (CDS document generation system, col. 7,

lines 33-38); and

printing out the publication received from the publication system, the publication

including the at least one content item (from the CDS database, many different types of

printed or electronic documents can be produced, col. 5, lines 16-21).

Dodge et al fails to teach inputting a user identifier into the client.

Nehab et al discloses a document retrieval system where a user is allowed to

enter a personal ID at a workstation 1 in order to retrieve documents of personal interest

(col. 8, lines 28-33). Dodge et al and Nehab et al are analogous art because they are

from the similar problem solving area of information retrieval. At the time of the

invention, it would have been obvious to a person of ordinary skill in the art to add the

personal I.D. feature of Nehab et al to Dodge et al in order to obtain a system capable

of retrieving subject matter of personal interest. The motivation for doing so would be to

filter information.

With respect to claim 3, Dodge et al disclose a method of claim 1, wherein the

inputting of the ephemeral interest into the client further comprises:

inputting an ephemeral interest reference into the client (users electronically tailor

their view of the document so it includes only the information they want to see, col. 6,

lines 65-67); and

obtaining the ephemeral interest from a reference mapper (document database

processor 12, col. 6, lines 24-26) based upon the ephemeral interest reference.

With respect to claim 4, Dodge et al disclose a method comprising inputting a

relative weight of the ephemeral interest into the client, the relative weight indicating a

proportionality to be afforded to the ephemeral interest relative to an enduring interest in

identifying the at least one content item to be included in the publication (filter and

formatter 50 along with document rules 42 determines content of interest relative to

remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 5, Dodge et al disclose a method wherein the inputting of

the ephemeral interest into the client further comprises:

scanning a document to obtain a digital representation thereof (input/output

device 54, col. 8, lines 51-52 and see Fig. 4); and

parsing an amount of data in the digital representation of the document to identify

the ephemeral interest included therein (filter and formatter 50 along with document

rules 42 determines content of interest, col. 7, lines 52-59).

With respect to claim 6, Dodge et al disclose a method of claim 1, wherein the

inputting of the ephemeral interest (variation-specific element 44, col. 7, line 53) into the

client further comprises entering the ephemeral interest into the client using an input

device (input/output device 54, col. 8, lines 51-52 and see Fig. 4).

Claim 9 is rejected for the same reasons as that of claim 1.

Claim 11 is rejected for the same reasons as that of claim 3.

Claim 12 is rejected for the same reasons as that of claim 4.

Claim 13 is rejected for the same reasons as that of claim 5.

With respect to claim 16, Dodge et al disclose a system for generating a

publication, comprising:

means for inputting an ephemeral interest (input/output device 54, col. 8, lines

51-52 and see Fig. 4) of the identified user, wherein the ephemeral interest is of use in

identifying at least one content item to be included in the publication (variation-specific element 44, col. 7, line 53);

means for generating a request for the publication based at least in part upon the ephemeral interest from a publication system (CDS document generation system, col. 7, lines 33-38), wherein the request is to be applied to the publication system (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21); and

means for executing a printing of the publication received from the publication system, the publication including the at least one content item (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21).

Dodge et al fails to teach a means for inputting a user identifier.

Nehab et al discloses a document retrieval system where a user is allowed to enter a personal ID at a <u>workstation 1</u> in order to retrieve documents of personal interest (col. 8, lines 28-33). Dodge et al and Nehab et al are analogous art because they are from the similar problem solving area of information retrieval. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the personal I.D. feature of Nehab et al to Dodge et al in order to obtain a system capable of retrieving subject matter of personal interest. The motivation for doing so would be to filter information.

With respect to claim 17, Dodge et al disclose a system (CDS document generation system, col. 7, lines 33-38) for generating a publication, comprising:

a processor circuit having a processor (document database processor 12, col. 6,

lines 20-26) and a memory (database 10, col. 6, lines 20-23);

a point of publication system stored in the memory and executable by the

processor, the point of publication system including:

logic that inputs an ephemeral interest of the identified user, wherein the

ephemeral interest is of use in identifying at least one content item to be included in the

publication (input/output device 54, col. 8, lines 51-52 and see Fig. 4);

logic that generates a request for the publication based at least in part upon the

ephemeral interest from a publication system (CDS document generation system, col. 7,

lines 33-38), wherein the request is to be applied to the publication system (from the

CDS database, many different types of printed or electronic documents can be

produced, col. 5, lines 16-21); and

logic that executes a printing of the publication received from the publication

system, the publication including the at least one content item (from the CDS database,

many different types of printed or electronic documents can be produced, col. 5, lines

16-21).

Dodge et al fails to teach logic that inputs a user identifier.

Nehab et al discloses a document retrieval system where a user is allowed to

enter a personal ID at a <u>workstation 1</u> in order to retrieve documents of personal interest

(col. 8, lines 28-33). Dodge et al and Nehab et al are analogous art because they are

from the similar problem solving area of information retrieval. At the time of the

invention, it would have been obvious to a person of ordinary skill in the art to add the

personal I.D. feature of Nehab et al to Dodge et al in order to obtain a system capable

of retrieving subject matter of personal interest. The motivation for doing so would be to

filter information.

With respect to claim 18, Dodge et al disclose a system wherein the logic that

inputs the ephemeral interest further comprises logic that parses an amount of data in a

digital representation of a scanned document (using input/output device 54, col. 8, lines

51-52 and see Fig. 4) to identify the ephemeral interest included therein (filter and

formatter 50 along with document rules 42 determines content of interest, col. 7, lines

52-59).

With respect to claim 19, Dodge et al disclose a system of claim 17, further

comprising logic that inputs a relative weight of the ephemeral interest into the client,

the relative weight indicating a proportionality to be afforded to the ephemeral interest

relative to an enduring interest in identifying the at least one content item to be included

in the publication (filter and formatter 50 along with document rules 42 determines

content of interest relative to remaining elements and their relationships, col. 7, lines 52-

59).

With respect to claim 20, Dodge et al disclose a method for generating a

publication, comprising:

identifying a number of content items to be included in the publication, wherein at

least some of the content items convey information associated with an ephemeral

interest (filter and formatter 50 along with document rules 42 determines content of

interest relative to remaining elements and their relationships, col. 7, lines 52-59) of the

identified user;

formatting the publication for printing by a client (using filter and formatter 50);

and

transmitting the publication to the client for printing (from the CDS database,

many different types of printed or electronic documents can be produced, col. 5, lines

16-21).

Dodge et al fails to teach identifying a user via user identified input.

Nehab et al teaches of a document retrieval system where a user is allowed to

enter a personal ID at a workstation 1 in order to retrieve documents of personal interest

(col. 8, lines 28-33) and the user's personal I.D. is then retrieved in step S502 (col. 8,

lines 30-31). Dodge et al and Nehab et al are analogous art because they are from the

similar problem solving area of information retrieval. At the time of the invention, it

would have been obvious to a person of ordinary skill in the art to add the personal I.D.

retrieval feature of Nehab et al to Dodge et al in order to obtain a system capable of

retrieving subject matter of personal interest. The motivation for doing so would be to

filter information.

With respect to claim 21, Dodge et al disclose a method wherein the identifying

of the number of content items to be included in the publication further comprises

performing a search among a number of potential content items for the content items

that convey the information associated with the ephemeral interest (filter and formatter

50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

Dodge et al fails to teach identifying a user via user identifier input.

Nehab et al teaches of a document retrieval system where a user is allowed to enter a personal ID at a <u>workstation 1</u> in order to retrieve documents of personal interest (col. 8, lines 28-33) and the user's personal I.D. is then retrieved in step S502 (col. 8, lines 30-31). Dodge et al and Nehab et al are analogous art because they are from the similar problem solving area of information retrieval. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the personal I.D. retrieval feature of Nehab et al to Dodge et al in order to obtain a system capable of retrieving subject matter of personal interest. The motivation for doing so would be to filter information.

With respect to claim 22, Dodge et al disclose a method of claim 20, further comprising maintaining a user profile that includes an enduring interest associated with a user (a custom document is generated from a source file created by a user, col. 5, lines 36-40).

With respect to claim 23, Dodge et al disclose a method of claim 22, wherein the identifying of the number of content items to be included in the publication further comprises performing a search among a number of potential content items for the content items that convey information associated with both the ephemeral interest and the enduring interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 24, Dodge et al disclose a method of claim 22, wherein the identifying of the number of content items for the publication further comprises:

performing a first search for a number of ephemeral content items conveying information associated with the ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8); and

performing a second search for a number of enduring content items conveying information associated with the enduring interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 25, Dodge et al disclose a method of claim 24, wherein the identifying of the number of content items for the publication further comprises identifying a first number of the ephemeral content items and a second number of enduring content items for inclusion in the publication based upon a relative weight established between the ephemeral and the enduring interests (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 26, Dodge et al disclose a method of claim 20, further comprising maintaining a user profile that includes a number of source ratings associated with a corresponding number of content item sources (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 27, Dodge et al disclose a method of claim 26, further comprising adding a new one of the source ratings to the user profile based upon a content item feedback received from a client (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8. The CDS authoring methodology gets feedback from users in the nine-step process, col. 17, line 62 – col. 18, line 11).

With respect to claim 28, Dodge et al disclose a method of claim 26, further comprising determining whether a content item is to be excluded from the publication based upon a content item source rating associated with the content item (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 29, Dodge et al disclose a program embodied in a computer readable medium for generating a publication, comprising:

code that identifies a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8) of the identified user;

code that formats the publication for printing by a client (using filter and formatter 50); and

code that transmits the publication to the client for printing (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21).

Dodge et al fails to teach code that inputs a user identifier.

Nehab et al discloses a document retrieval system where a user is allowed to enter a personal ID at a <u>workstation 1</u> in order to retrieve documents of personal interest (col. 8, lines 28-33). Dodge et al and Nehab et al are analogous art because they are from the similar problem solving area of information retrieval. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the personal I.D. feature of Nehab et al to Dodge et al in order to obtain a system capable of retrieving subject matter of personal interest. The motivation for doing so would be to filter information.

With respect to claim 30, Dodge et al disclose a program embodied in a computer readable medium of claim 29, wherein the code that identifies the number of content items to be included in the publication further comprises code that performs a search among a number of potential content items for the content items that convey the information associated with the ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 31, Dodge et al disclose a program embodied in a computer readable medium of claim 29, further comprising code that maintains a user profile that includes an enduring interest associated with a user (a custom document is generated from a source file created by a user, col. 5, lines 36-40).

With respect to claim 32, Dodge et al disclose a program embodied in a computer readable medium wherein the code that identifies the number of content items

to be included in the publication further comprises code that performs a search among a number of potential content items for the content items that convey the information associated with both the ephemeral interest and the enduring interest (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 33, Dodge et al disclose a program embodied in a computer readable medium comprising code that adds a source rating to a user profile based upon a content item feedback received from a client (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8. The CDS authoring methodology gets feedback from users in the nine-step process, col. 17, line 62 – col. 18, line 11).

With respect to claim 34, Dodge et al disclose a program embodied in a computer readable medium of claim 33, further comprising code that determines whether a content item is to be excluded from the publication based upon a respective one of a number of source ratings that is associated with the content item (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

Claim 35, a system claim, is rejected for the same reasons as that of claim 20.

Claim 36, a system claim, is rejected for the same reasons as that of claim 17.

Allowable Subject Matter

3.   Claims 7, 8, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
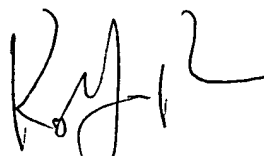
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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TJL

KING Y. POON
PRIMARY EXAMINER